



# CITY OF MEMPHIS

## COUNCIL AGENDA

September 6, 2005

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

**CALL TO ORDER by the Sergeant-at-Arms**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL OF ROLL by the Comptroller**

**APPROVAL OF PREVIOUS MEETING MINUTES (August 16, 2005)**

## CONSENT AGENDA

### GENERAL ORDINANCE - FIRST READING (none)

### GENERAL ORDINANCES - SECOND READING

1. **ORDINANCE** amending Ordinance No. 5014, to extend the sunset clause to November 1, 2007, up for S E C O N D reading.

Marshall

Ordinance No. 5128

ACTION REQUESTED: Adopt the ordinance on Second reading

2. **ORDINANCE** amending Franchise Ordinance #4159, with Time Warner Entertainment Co., to reflect ownership change to CABLE Holdco II, Inc., upon the same terms and conditions as previously held by past entities, up for S E C O N D reading.

Jones

Ordinance No. 5129

Original franchise adopted with CATV, Inc., adopted April 21, 1992, to run for 10 years, and previously amended by name change to Time Warner Communications May 21, 2000. Time Warner was granted an extension of time to May 3, 2008. The above ordinance further amends ownership from Time Warner Communications to CABLE HOLDCO, II, Inc. for remaining term.

ACTION REQUESTED: Adopt the ordinance on Second reading

### ZONING ORDINANCES - FIRST READING

3. **ORDINANCE** rezoning the west side of Airways Boulevard; +179 feet south of Winchester, containing 0.276 acre in the General Office (O-G) District, up for F I R S T reading.

Peete

Ordinance No. 5130

Case No. Z 05-106

Applicant: Progress Realty Co., Inc.  
William R. Swain, Jr. – Representative

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on First reading

4. **ORDINANCE** rezoning Plough Boulevard south of Winchester Road, containing 2,300 linear feet, up for F I R S T reading.

Peete

Ordinance No. 5131  
Case No. SNC 05-803

Applicant: Airport Authority

Request: Change un-named Airport Connector Road to Jim McGehee Parkway

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Adopt the ordinance on First reading

5. **ORDINANCE** rezoning the south west corner of Yale and Covington Pike, containing 0.53 acre in the Multiple Dwelling Residential (R-ML) District, up for F I R S T reading.

Peete

Ordinance No. 5132  
Case No. Z 05-117

Applicant: Carl J. Grant  
McCaskill & Associates, Inc. – Representative

Request: Planned Commercial (C-P) District

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Adopt the ordinance on First reading

**ZONING ORDINANCE - SECOND READING**

6. **ORDINANCE** rezoning the west side of Hernando Road; +10 feet south of Ferguson Road, containing 3.77 acres in the Multiple Family Residential (R-MM) District, up for SE C O N D reading.

Peete

Ordinance No. 5127  
Case No. Z 05-115

Applicant: Outdoor Management, LLC  
Fisher & Arnold, Inc. – Representative

Request: Light Industrial (I-L) District

LUCB recommendation: APPROVAL

OPD recommendation: REJECTION

ACTION REQUESTED: Adopt the ordinance on Second reading

**ENGINEERING**

7. **RESOLUTION** accepting BOLEN RIDGE P.D., PHASE 1 and authorizing release of bond.

Case No. PD 00-313cc  
(Contract No. CR-4703)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located 1024.40 feet east of the intersection of Coleman Road and Bolen Huse Road. The standard improvement contract was approved on April 1, 2001. Resolution also authorizes the release of the letters of credit in the amount of \$34,000.00 and \$13,100.00. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

8. **RESOLUTION** accepting BUCKINGHAM FARMS P.D., PHASE 25 and authorizing release of bond.

Case No. PD 95-310cc  
(Contract No. CR-4933)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Nonconnah Parkway, east of Hacks Cross Road. The standard improvement contract was approved on January 13, 2005. Resolution also authorizes the release of the letter of credit in the amount of \$449,000.00. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

**NOTATIONS FROM OPD**

9. **NOTATIONS** from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:
- A. Case No PD 05-328 – Sheppard Oaks PD (Previously titled Belle Meade PD)
- Located on the north side of Poplar Avenue; +750 feet east of Belle Meade Lane, containing 1.08 acres in the Single Family Residential (R-S10) District
- Applicant: James Sheppard  
ETI (Ralph Smith) – Representative
- Request: Four (4) Single Family Detached Lots
- LUCB and OPD recommendation: APPROVAL, with conditions
- B. Case No. PD 05-334 – East Gwynne Place PD
- Located on the west side of Mendenhall; at the western terminus of Barry Road, containing 1.36 acres in the Single Family Residential (R-S10) District
- Applicant: MARS Development, LLC  
Bray-Davis Firm (David Bray) – Representative
- Request: Six Residential Lots
- LUCB recommendation: APPROVAL, with conditions
- OPD recommendation: REJECTION
- C. Case No. PD 05-336 - Hwy. 64 & Morning Sun PD, Amended
- Located on the southeast corner of U.S. Highway 64 & Morning Sun Road, containing 3.76 acres in the Single Family home and vacant land in the Agricultural (AG) and Planned Commercial (C-P) Districts
- Applicant: Commercial Ventures, Inc.  
SR Consulting Engineers, LLC – Representative
- Request: A planned development to permit Planned Commercial (C-P) uses within a specific outline plan
- LUCB and OPD recommendation: APPROVAL, with conditions
- D. Case No. PD 05-343 – Animal Emergency Center PD
- Located on the southeast corner of Summer Avenue and Meadowbrook Street, containing 0.65 acre in the Highway Commercial (C-H) and Single Family Residential (R-S6) Districts
- Applicant: Animal Emergency Center  
ETI Corporation, Rodney Joyner – Representative

Request: A planned development to permit Planned Commercial (C-P) uses within a specific outline plan

LUCB and OPD recommendation: APPROVAL, with conditions

E. Case No. SAC 05-611 – Webster Street & Adjacent East/West Alleys

Located on the west side of Front Street; +157 feet north of Georgia Avenue and ending +614 feet north of Georgia Avenue, containing 17,207 square feet in the Bluffview Residential (R-B) District

Applicant: Kerr Tigrett

Request: Close & Vacate Alley Street Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: September 20, 2005**



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## MLGW FISCAL CONSENT

10. RESOLUTION awarding contract for gas service assembly risers to Chris George Sales, in the amount of \$732,150.00.
11. RESOLUTION approving Change No. 8 to Contract No. 10673, Facilities Location Services, with Heath Consultants, Inc. in an estimated funded amount of \$180,000.00. (This extends the contract not to exceed 60 days beginning 9/30/05.)



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### APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

## REGULAR AGENDA

### PRESENTATIONS AND RECOGNITION OF VISITORS

12. RESOLUTION declaring the month of September as Prostate Cancer Awareness Month.  
Holt

ACTION REQUESTED: Adopt the resolution

13. APPOINTMENTS  
Marshall

Memphis City Beautiful Commission

Shelley McKee - Reappointment

### GENERAL ORDINANCES - THIRD AND FINAL READING (none)

### ENGINEERING DIVISION

14. RESOLUTION approving final plat of WILKINSON PLACE SUBDIVISION. (Held from 8/16)  
Chumney Case No. S 05-030

Resolution approves the final plat located at the terminus of Wilkinson Place.  
Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

### EXECUTIVE DIVISION

15. RESOLUTION appropriating \$6,500,000.00 funded by G.O. Bonds General to CIP Project Number GA03018, Preventive Maintenance, to fund operating costs for the Memphis Area Transit Authority in Fiscal Year 2006 as part of the Fiscal Year 2006 Capital Improvement Budget.  
Hooks

ACTION REQUESTED: Adopt the resolution

16. RESOLUTION appropriating \$80,000.00 funded by G.O. Bonds General to CIP Project Number GA03002, MATA Facility Improvements, to fund the 10% local share of costs as part of the Fiscal Year 2006 Capital Improvement Budget.  
Hooks

ACTION REQUESTED: Adopt the resolution

17. RESOLUTION appropriating \$30,000.00 funded by G.O. Bonds General to CIP Project Number GA03010, Computer Hardware and Software, to fund the 10% local share of cost as part of the Fiscal Year 2006 Capital Improvement Budget.  
Hooks

ACTION REQUESTED: Adopt the resolution

**FINANCE & ADMINISTRATION** (none)

**DIVISION OF FIRE SERVICES** (none)

**DIVISION OF GENERAL SERVICES**

18.
- RESOLUTION accepting an offer to purchase City owned property located on the south side of Dison Avenue, west of Pennsylvania Street and east of Castex Street. The approximate dimension being 75’ x 100’, and containing 7,500 square feet, more or less. The lot is unimproved. The amount of the offer is. \$1,800.00.

Brown

Resolution accepts an offer from Geno A. Banks to purchase property located in the City of Memphis, County of Shelby and State of Tennessee. Said property was acquired by the City of Memphis in Tax Sale #13, Chancery Court Cause TRD #9460-2, as exhibit #3467 by the City of Memphis on May 4, 2000 for delinquent taxes. The Shelby County Tennessee Assessor’s Office has identified the property as Ward 035, Block 060, Parcel 010, Lots 19-23, South Fort Pickering Subdivision, Block 5; being the same property conveyed by Deed recorded as Instrument No. EN-4833 in the Shelby County Register’s Office. Per ordinance, the sale of the subject parcels are NOT subject to the offer laying over for a future Council meeting for an increase of bid. Therefore, resolution approval shall be deemed as approval of sale. Resolution also authorizes the Mayor to execute the necessary documents in connection with the sale.

Director of General Services recommends approval

ACTION REQUESTED: Adopt the resolution

19.
- RESOLUTION appropriating \$400,000.00 in construction for the renovation of City facilities for ADA Facility Compliance, CIP Project Number GS01010 funded by G.O. Bonds General, chargeable to the Fiscal Year 2006 Capital Improvement Budget.

Brown

ACTION REQUESTED: Adopt the resolution

20.
- RESOLUTION approving the acquisition of easement from Bryan Shelby Farms L.P., located on the north side of Grattitude Church Road, approximately 1,085.6 feet north of the centerline of Pleasant Ridge Road as measured along the centerline of Grattitude Church Road, for the sum of \$120,184.00

Brown

ACTION REQUESTED: Adopt the resolution

21.
- RESOLUTION approving the acquisition of easement from Julia Ellen Armour-Gordon, located on the easterly side of Stewart Road and south of the south line of Paul Barret Parkway, for the sum of \$104,288.00.

Brown

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

22.
- RESOLUTION amending the FY 2006 Capital Improvement Budget by transferring an allocation of \$134,000.00 funded by G.O. Bonds General from contract construction within Coach and Four/Central Square, Project Number CD01048, to contract construction within Soulsville Demolition, Project Number CD01055.

Holt

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES** (none)

**LAW DIVISION** (none)

**DIVISION OF PARK SERVICES**

23. RESOLUTION appropriating \$250,000.00 in G.O. Bonds General, in Construction funds for Zoo Major Maintenance, CIP Project Number PK09002.

McCormick

Council did include Zoo Major Maintenance, CIP Project Number PK09002, as part of the FY 2006 Capital Improvement Program. The City of Memphis has entered into an agreement with the Memphis Zoological Society which provides for the use and payment of the current and future Capital Appropriation.

ACTION REQUESTED: Adopt the resolution

**DIVISION OF POLICE SERVICES** (none)

**DIVISION OF PUBLIC SERVICES** (none)

**DIVISION OF PUBLIC WORKS**

24. RESOLUTION appropriating \$250,000.00 in G.O. Bonds for Downtown Public Improvements, Project Number PW01044 for construction of Peabody Place Element E and Court Square streetscape improvements.

Hooks

Director of Public Works and City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

**ZONING ORDINANCE - THIRD AND FINAL READING**

25. **ORDINANCE** rezoning the east side of Cox Street; +47.5 feet north of Young Avenue, containing 0.13 acre in the Local Commercial (C-L) District, up for T H I R D and F I N A L reading.

Peete

Ordinance No. 5126  
Case No. Z 05-116

Applicant: Northside Properties  
Stephen Steinbach – Representative

Request: Single Family Residential (R-S6) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

**126 NOTICES MAILED ON AUGUST 26, 2005****DIVISION OF PLANNING & DEVELOPMENT**

26. RESOLUTION rezoning the west side of Houston Levee Road; +/-998 feet north of Macon Road, containing 0.86 acre in the Planned Commercial (C-P) District

Peete

Case No. SUP 05-205cc

Applicant: Edward T. Grinder

Request: Drive-In Restaurant

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

27. RESOLUTION rezoning the east side of Carrier Street; at the eastern terminus of Transport Avenue, containing 18.27 acres in the Light Industrial (I-L) and Light Industrial Flood Plain (I-L[FP]) Districts.

Peete

Case No. SUP 05-211



Applicant: Old Dominion Freight Lines  
ETI Corporation (Ralph Smith) – Representative

Request: Allow a truck or motor freight terminal service facility

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

28. RESOLUTION rezoning the southeast corner of Douglass Avenue and Echles Street, containing 0.12 acre in the Single Family Residential (R-S6) District.

Peete

Case No. UV 05-06

Applicant: James J. Skefos  
Hill Massengill – Representative

Request: Expansion of an existing nonconforming restaurant

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

**PUBLIC HEARINGS**

29. RESOLUTION approving a planned development located on the southeast corner of Hacks Cross Road and Bill Morris Parkway, containing 8.9 acres in the Parcel L of the Buckingham Farms P.D. +/-4 acres (P.D. 95-310cc) and the Nonconnah Crossing Planned Development P.D. 02-335cc – 5.5 acres.

Peete

Case No. PD 05-313cc  
(Companion Case: PD 03-363cc)

Applicant: Auto Nation  
Homer Branan – Representative

Request: Automobile Dealership

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

**39 NOTICES MAILED ON AUGUST 19, 2005**

30. RESOLUTION approving a planned development located on the southeast corner of Hacks Cross Road and Mist Meadows Lane extending southward to Nonconnah Creek and Northeast corner of Hacks Cross Road and Nonconnah Parking, extending eastward some 2,000 feet, containing 39.0 acres in the Townhouse Residential (R-TH) and Agricultural Flood Plain (AG{FP}) Districts.

Peete

Case No. PD 03-363cc  
(Companion Case: PD 05-313cc)

Applicant: B. J. Gurley  
Homer Branan/Ralph Smith – Representative

Request: Area A: Retail Commercial Uses with exceptions; Area B:  
Commercial Uses with exception

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**375 NOTICES MAILED ON AUGUST 19, 2005**

31. RESOLUTION approving a planned development located on the Northwest corner of L & N Railroad and Interstate 240, containing 84.89 acres in the Multiple Family (R-MM) & Multiple Family Flood Plain (R-MM{FP}) District.

Peete

Case No. PD 05-314

Applicant: William H. Thomas, Jr.  
ETI Corporation – Representative

Request: A planned development to permit Light (I-L) Industrial uses within the plan

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

**202 NOTICES MAILED ON AUGUST 19, 2005**

32. RESOLUTION approving a planned development located on the south side of Crump Boulevard; between Latham Street and Fourth Street, containing 8.13 acres in the Multiple Residential (R-MM) & South Downtown (RSD) District.

Peete

Case No. PD 05-339

Applicant: Memphis Housing Authority  
Michael Swindle - Representative

Request: Twenty-five (25) Single Family Lots; Sixteen (16) apartment units in four buildings (4/unit) and Eighty (80) apartment units for Senior Citizens in one building

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**164 NOTICES MAILED ON AUGUST 19, 2005**

33. RESOLUTION approving a planned development located on the northeast corner of Houston Levee Road and Gray's Creek Drainage Canal, containing 31.82 acres in the Agricultural Flood Plain (AG[FP]) and Floodway (FW) Districts & formerly governed by Cordova Gardens Planned Development (P.D. 99-317cc).

Peete

Case No. PD 05-333cc

Applicant: Houston Levee, LLC  
Harkavy-Shainberg, PLC – Representative

Request: Planned development to allow Planned Commercial(C-P) District uses within the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**32 NOTICES MAILED ON AUGUST 19, 2005**

34. RESOLUTION approving a special use permit located on the northeast corner of Pier Street and Channel Avenue, containing 5.022 acres in the Heavy Industrial (I-H) District.

Peete

Case No. SUP 05-207

Applicant: Radiological Assistance Consulting & Engineering (RACE)  
Robert Spence, SpenceWalk, PLLC – Representative

Request: Storage & Distribution of Radioactive Materials including a radioactive waste incinerator

LUCB recommendation: REJECTION

OPD recommendation:        APPROVAL, with conditions

ACTION REQUESTED:        Take whatever action Council deems advisable

**12 NOTICES MAILED ON AUGUST 19, 2005**

35.        RESOLUTION approving a special use permit located on the southeast corner of Jack Carley Causeway and West Trigg Avenue, containing 28.951 acres in the Heavy Industrial (I-H) District.

Peete

Case No. SUP 05-208

Applicant:        Radiological Assistance Consulting & Engineering (RACE)  
Robert Spence, SpenceWalk, PLLC – Representative

Request:        Storage & Distribution of Radioactive Materials

LUCB recommendation:        REJECTION

OPD recommendation:        REJECTION

ACTION REQUESTED:        Take whatever action Council deems advisable

**9 NOTICES MAILED ON AUGUST 19, 2005**

**ADJOURNMENT**

**ADD-ONS**

36. RESOLUTION approving final plat of NEWTON COURT PLANNED DEVELOPMENT.  
Consent Case No. PD 05-310

Resolution approves the final plat located on the south side of Helene Drive, 175 feet east of Warwick Street. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

37. RESOLUTION approving final plat of HIGHLAND POINT SUBDIVISION, 1<sup>ST</sup> ADDITION.  
Consent Case No. S 04-064cc  
Contract No. CR-4967

Resolution approves the final plat located west of Berryhill Road, south of Grove Road. Cost of the required improvements to be borne by the developer. Resolution authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

38. RESOLUTION approving final plat of IVY AT SOUTH END.  
Consent Case No. S 05-025

Resolution approves the final plat located on the west side of South Front Street, 79.66 feet of north of Georgia Avenue. Cost of the required improvements to be borne by the developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

39. RESOLUTION to adopt the South Forum District Redevelopment Plan as a framework to guide future development in the "South Forum District" (roughly bounded by Linden on the north, GE Patterson on the south, Mulberry on the west, and Danny Thomas on the east) and to revitalize this important neighborhood.  
Peete

ACTION REQUESTED: Adopt the resolution

40. RESOLUTION declaring September 18, 2005 as Racial Harmony and Equality Sunday.  
Lowery

ACTION REQUESTED: Adopt the resolution

41. RESOLUTION approving final plat of ROBINSON WAY PD.  
Consent Case No. PD 02-317  
Contract No. CR-4968

Resolution approves the final plat located on the west side of Shady Grove Road, 372.44 feet south of Wood Way Drive. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

ADD-ONS

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

42. RESOLUTION approving final plat of APPLING COMMONS PD, THIRD AMENDMENT, PHASE 4, AREA D.

Consent

Case No. PD 04-355cc  
Contract No. CR-4969

Resolution approves the final plat located on the southeast corner of Goodlett Farms Parkway and Garrett Ridge Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

43. RESOLUTION approving final plat of UPTOWN REDEVELOPMENT SUBDIVISION 8.

Consent

Case No. S 04-088  
Contract No. CR-4970

Resolution approves the final plat located on the southeast corner of Danny Thomas Boulevard and Looney Avenue. Cost of the required improvements to be borne by the Agency and the Contractor. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

44. RESOLUTION approving a hotel waiver for Beale Street Westin Hotel located at the northwest corner of Third Street and Lt. George W. Lee Avenue.

Peete

ACTION REQUESTED: Adopt the resolution

45. RESOLUTION approving Memphis Ambiance to have a Classic Tailgate Block Party on Saturday, September 10, 2005 from 10:00 a.m. until 2:00 a.m.

Consent

ACTION REQUESTED: Adopt the resolution

46. RESOLUTION approving an emergency fuel surcharge of two dollars (\$2.00) per trip, for the taxicab industry, until March 7, 2006.

Holt

ACTION REQUESTED: Adopt the resolution

47. **ORDINANCE** amending Chapter 41, Code of Ordinances, City of Memphis, so as to update regulations for Wreckers and Towing Operators within the City of Memphis, up for F I R S T reading.

Consent

Ordinance No. 5133

ACTION REQUESTED: Adopt the ordinance on First reading

**ADD-ONS**

48. RESOLUTION amending the FY 2006 Capital Improvement Budget by transferring allocations of \$440,000.00 funded by Sewer Funds from Rehab Existing Sewers, project number SW02001 to Raleigh/Millington Sewer Repair, project number SW02064.

Hooks

Resolution appropriating \$440,000.00 funded by Sewer Funds for an emergency repair of 36' sewer line for Raleigh/Millington Sewer Repair, project number SW02064.

ACTION REQUESTED: Adopt the resolution

49. **APPOINTMENTS**

Marshall

**Director of Finance**

**Appointment**

Roland L. McElrath

50. RESOLUTION supporting and welcoming the Memphis and Shelby County DMC Task Force and its work to study and reduce the disproportionate confinement and contact of minorities in the juvenile justice system.

Consent

ACTION REQUESTED: Adopt the resolution

51. RESOLUTION appropriating capital fund for the settlement of Clark Construction Group, Inc., Plaintiff vs. City of Memphis and the Memphis Cook Convention Center, Defendants Civil Action No. 01-2780 U.S. District Court.

Marshall

ACTION REQUESTED: Adopt the resolution

52. RESOLUTION welcoming Hurricane Katrina victims to our city with open arms and encourage our citizenry to continue in the tradition of helping those in need.

Mitchell

ACTION REQUESTED: Adopt the resolution

53. **APPOINTMENTS**

Marshall

**Chief Financial Officer**

**Appointment**

Robert Lipscomb

54. **ORDINANCE** amending Chapter 4, Article III, Division 2 of the Code of Ordinances regarding general restrictions on issuance of License to Sell Beer for Off-Premises Consumption, up for F I R S T reading.

Consent

Ordinance No. 5134

ACTION REQUESTED: Adopt the ordinance on First reading

**ACTION TAKEN BY COUNCIL ON THIS DATE**

1. Through 8 – Approved
9. Public Hearing Set for September 20, 2005
10. Through 19 – Approved
20. Held until September 20, 2005
21. Through 27 – Approved
28. Held until September 20, 2005
29. Held until October 11, 2005
30. Approved
31. Approved, as amended
32. & 33 – Approved
34. & 35 – Held until October 11, 2005
36. Through 38 – Approved
39. Held until September 20, 2005
40. Through 50 – Approved
51. Approved
52. Through 54 – Approved

**ACTION TAKEN ON THE MINUTES OF AUGUST 16, 2005**

Approved

**ACTION TAKEN ON THE MINUTES OF ITEMS #14, #46, #48 & #51, from September 6, 2005 Meeting**

Approved